

Express Mail No. ER 248807220 US

Docket No. 20722 US1 C038435/0175476

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Rule 1.53(b) Divisional Application of:)
Beat FLUEHMANN *et al.*) Parent Examiner: K. Weddington
Parent Serial No.: 09/915,152) Parent Art Unit: 1614
Parent Filed: July 25, 2001)
For: **PHYTANIC ACID DERIVATIVE**)
COMPOSITIONS AND METHOD OF)
TREATING AND/OR PREVENTING)
DIABETES MELLITUS)

New York, New York
January 27, 2004

PRELIMINARY AMENDMENT

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, please enter the amendment set forth below. Because this Preliminary Amendment is being filed concurrently with the above-identified application, no fee is believed due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Please amend the application as follows:

AMENDMENTS TO THE SPECIFICATION begin on page 3 of this paper.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 4 of this paper.

REMARKS begin on page 8 of this paper.